Forecast for Wednesday and Thursday:
North Carolina—Fair Wednesday and
Thursday; light to fresh northwest winds.
Virginia—Generally fair Wednesday and
Thursday, continued low temperature;
light to fresh west to northwest winds.

PRICE TWO CENTS,

VOL. 17. NO. 4.

RICHMOND. VA., WEDNESDAY, FEBRUARY 12, 1902.

WILL MAKE SURE OF THE FAUST MURDERER

Hand of Vengeance Stayed by Uncertainty.

TO SHIELD ANOTHER

No Effort to Lynch Ollie Epes Until More is Learned.

TRIAL FOR CRIMINAL ASSAULT

& Well Known White Man Will Probably Make Defense Against the Charge of a Young German Girl On the Plea of losanity-fie Le.t County and Was Arrested on His Return.

(Special Dispatch to The Times.) LUNENBURG C. H., VA., Feb. 11 .-

Epes, when questioned after his ex-

Epes, when questioned after his examination before the justice last night as to why he told the tale on the white man, replied that he was afraid Sidney Hambrick would be lynched, and he did not want to see an innocent man huns. Warrants were issued to-day for the arrest of Sidney Hambrick, Douglas Williams and Ham Bagley.

A POPULAR THEORY.

There are some who yet think Sidney Hambrick implicated in the murder, and perhaps has gotten Epes to tell his story in order to divert suspicion from him. There are some who contend that Epes is half-witted and easy to make a tool of, but along with his half-wit is certainly a large amount of shrewheess. It is the general belief now that no effort will be made to lynch Epes until more information is gained and the other suspects thoroughly investigated.

suspects thoroughly investigated.
WILL MAKE NO MISTAKE.
It seems certain that Ollie Epes owes
his life to the uncertainty that surrounds is connection with the crime. While many of the best citizens have declared heir purpose to visit swift vengeance their purpose to visit swift vengeance then the perpetrator of the inhuman a order of the feeble Mrs. Fanst, they will first be sure they have the guilty again. The fund beling raised by the citizens to be offered as a reward for the imprehension and conviction of the murticer already reaches several hundred dollars.

TRIAL OF STOKES. Court is now in session and is engaged the trial of a case of criminal assault, hich for many months has created much pierest in the county, the prisoner being white man of good connections and dely known.

widely known.

The case is that of Sy Stokes, charged with criminal assault upon H. O. V. Wise, a ten-year-old German girl, in May, 1901. Stokes absconded after the crime, but, having returned to the county, he was arrested and put in jail here and indicted for the crime, for which he is new on trial.

which he is now on trial.

The girl testined of the tria The girl testined of the trial to-day that as she was returning from Meherrin Depot Stokes rode past her on a mule; that he tied the mule near the roadside, carried her into a field near by, threw her down and attempted to criminally assembly low.

To save the young girl's feelings, Judge Orgain ordered the court-room cleared of all nersons, except the jury, counsel and officers of the court during her recital.

her recital.

The case promises to last several days, as some forty witnesses have been summoned, and the line of questioning by the defense will be insanity of the prisoner.

The crowd in attendance is quite large and the excitement incident to the Faust murder will no doubt attract a much larger attendance. her recital.

BRILLIANT CELEBRATION.

Distinguished Men Initiated Into the Ph Beta Kappa Society.

(Special Dispatch to The Times.) WILLIAMSBURG, VA., Feb. 11.—The WILLIAMSBURG, VA., Feb. II.—The annual celebration of the oldest Greek letter society in this country, the Phi Beta Kappa, which took place in the college chapel last night, was an occasion brilliant with oratory, poetry and humor.

Dr. Beverly D. Tucker presided and Mr. Frank E. Brent, of Richmond, the orator of the occasion, surpassed his own reputation, and his subject—"The Northwest Territory and the Ordinance of 1857"—was Territory and the Ordinance of 185"—was a valuable giff to history.

The poem read by Dr. Robert Underwood Johnson, of New York, was pro-

nounced a gem of purest ray serene.

James Linesay Gordon, of New York,
captured the audience with his glittering and sparkling speech, At the conclusion of the public exercises the following new members were initiated; Dr. R. M. Johnson, New York; Mr. F. P. Brent, Hon. J. L. Gordon, New York; Dr. C. P William-son, Dr Plummer F. Jones, Robert S. Bidgat, Philadelphia.

The banquet was served in the college illurary to the members and invited guests.

ISTHMIAN CANAL.

Panama Company Can Transfer Val'd Title, Thinks Former Senator Pascoe.

(By Associated Press.)
WASHINGTON, D. C., Feb. 11.—Forme United States Senator Samuel Pascoe, now a member of the Isthmian Canal Commission, testified before the Senate Committee on Inter-Oceanic Canals to-day that he had carefully investigated the proposition by the new Panama Canal Company for the sale of the Panama Cana. rights, and that he was fully convinced that under the French laws and the usage of the French courts that company had : valid title to the franchises and right of way to the canal, and could, therefore, make a transfer to the United States

make a transfer to the United States which would hold in law.

In reply to questions, Mr. Pascoe said he understood that there are now two rentlemen in the city from Colombia for the divergence of the control of the city from Colombia for the purpose of co-operating with the min-

nècessary concessions for the construc-tion of the Paama Canal by the United

Mr. Pascoe was questioned at length by Mr. Pascoe was questioned at length by Senator Morgan as to the effect of the various treaties between the United States and other Powers relative to the canal and also to the bearing of the French laws upon the proposed transfer, the result being that Pascoe and Morgan disagreed squarely upon much of those points. Senator Morgan also sought to bring out the fact that a concession of only ninetynine years in the way of a lease would nine years in the way of a lease would not be sufficient to meet the demands of the United States in case the proffer on the united States in case the proffer on the part of the Panama Company should be accepted by this country, and Mr. Pascoc agreed with him on that point, adding his opinion that a concession in perpetuity could be secured from Colom-bia.

PATRICK TRIAL.

Handwriting Expert Testified as to Signature

(By Associated Press.) NEW YORK, Feb. 11.-John H. Walsoe, the paying teller in Swensons & Son's Bank, was recalled to-day in the trial of Albert T. Patrick. The recorder would not permit him to tell of a telephone conversation with Charles Jones, Rice's valet, the day after Rice's death. He identified 161 papers as having been sized by Mr. Pice.

He identified 161 papers as having been signed by Mr. Rice.

Commissioner Lederle succeeded Wallace on the witness stand, and identified the photographic exhibits in the case.

Albert S. Osborne, of Rochester, a handwriting expert, was the next witness. The assistant attorney submitted to the witness, the two Swenson checks, to the witness the two Swenson checks, LUNENBURG C. H., VA., Feb. II.—
(Via Blackstone).—The public mind is in
suspense and waiting with intense inicrest further developments in the Faust
murder case. The arrest last night of
Oille Epes, under suspicion of having
committed the crime, which then seemed
certain of definite results, is again cloudici with uncertainty.

Epes, when questioned after his ex-

Condor's Boat Picked Up.

(By Associated Press.) VICTORIA, B. C., Feb. II.—Captain Da-is, who acted as pilot on the United States steamer Grant on her trip alons he west coast of Vancouver Island, in arch of the missing sloop of war Condo says that Captain Simpson, of H. M. S. Egerim, to whom Captain Tozier, of the Grant, handed over the ship's boat picked

TRAPEZE LADY BREAKS. HER NECK

Falls Thirty-five Feet Without a Net While Doing Thrilling Act at Newport News.

(Special Dispatch to The Times.)
NEWPORT NEWS, VA., Feb. II.—Miss
Eva Gilbert, a trapeze performer, who
has been engaged at the Powhatan Theatre for the past six weeks doing an aerial
set, fell and broke her neck during the
performance to-night. It was about 16
o'cleck when Miss Gilbert went on, and
among the first features of her act was
to swing from a trapeze and catch her among the lifet leathers of her let was to swing from a trapeze and catch her foot in a loop suspended about thirty-five feet above the floor. She made the awing and released the trapeze, but her foot slipped from the loop, which was imperfectly caught, and she shot head-iong to the floor almost at the feet of the horrified spectators. Her neek was broken at the pivotal joint and death occurred in ten minutes. She did not speak In the fall her face was also terribly

The remains will be sent to-morrow t her home, No. 415 Thirty-third Street, New York, Miss Gilbert was between twenty-five and thirty years old, and had been in the business most of her life, though little is known of her at the little second rate theatre at which she

She had been urged on frequent occa sions to use a net, but had refused. A net would have saved her life to-night.

Will Crush Railway Lobby

(By Associated Press.)
TACOMA, WASH. Feb. 11.—Governor McBride, of this State, has made a new move in his war on the rollway lobby. He has announced his intention to dismiss any State employe who accepts a pass over a railroad and declares he will crush out the lobby.

WIFE ATTACKS HER HUSBAND

Mrs. Patterson Occasioned Some Excitement Incident to Divorce Proceedings.

Mrs. Cora Lathrop Patterson made an attack upon her husband just outside of the law office of Mr. J. Kent Rawley, in the Merchants' National Bank building about 4 o'clock yesterday afternoon.

The incident attracted the attention of many persons in the building, and it afforded considerable excitement while it

asted.
It will be recalled that Mr. James T. It will be recalled that Mr. James T. Patterson recently brought suit in a court in Omaha, Neb., for divorce from his wife. Mr. Rawley, as a notary public was taking depositions in the case. Mr. H. M. Smith, Jr., was counsel for Mrs. Patterson. Messrs. Legh R. Page and A. R. Courtney, of Richmond, and John W. Parrish, of Omaha, were present as attorneys for Mr. Patterson.

Mrs. Patterson went into the room, and according to some of the cyc-witnesses.

Mrs. Patterson went into the room, and, according to some of the eye-witnesses, was calm and collected until her husband left the room and went out into the hallway. Then she followed him. Outside the office door she caught her pushend by the collar and granuled with husband by the collar and grappied with him. Mr. Patterson, it seems, controlled his temper, and the incident was soon ended. Comparatively few people knew

Bufferin's End Near,

(By Associated Press.)
EDLFAST, Feb. 11.—The bulletin issued this evening from Cladeboye regarding the health of Lord Dufferin, shows he has been continually growing weaker since the morning and that the end is

C. AYLETT ASHBY PLACED ON TRIAL

Must Answer Charge of Murder of E. A. Marye.

A JURY NOT SECURED

A Venire of Thirty Produced Only Eight Men.

MANY HAD FORMED OPINIONS

Brilliant Array of Counsel in the Case-No Active Prosecution Will be Made by the Friends of the Dead Man, but fiis Good Name Will be Protected-A History of

(Special Dispatch to The Times.)

the Tragedy.

NEWPORT NEWS, VA., Feb. 11.-C. Aylett Ashby, one of the most brilliant and popular members of the local bar and belonging to one of the most distinguished and aristocratic families in Virginia, was placed on trial in the Corporation Court this morning to answe to indictment for the murder of City Engineer E. A. Marye.

The young man, who was mortally wounded, was a son of Colonel Morton Marye, of Richmond, State Auditor, repesentative also of one of the oldest and best known families in the State. Young Marye was a caller at the home of Miss May Garnett, sister-in-law of Ashby, but for some months previous to the shooting had been denied the privilege of

calling upon her. On the afternoon of December 30th las Marye passed by the house, and, siezed with a sudden impulse, began throwing rocks, bricks and flower pots through the window, after first trying to enter by the door. He had been drinking some and was also very much wrought up over a controversy regarding contem-plated city paving, and had made up his mind to brosewhip one newspaper man, who, he thought, had reflected upon

MIND UNSETTLED. MIND UNSETTLED.

These things in combination probably unsettled his mind temporarily. At any rate, Mrs. Ashby telephoned to her husband to come to the house. Ashby left his office, went across the street and borrowed a revolver and started home. On the way up he encountered Marye coming down the street with an officer Not realizing that Marye was under arcoming down the street with an officer Not realizing that Marye was under arrest, Ashby fired four times at him. One bullet struck the officer in the breast, but was deflected by a button. Another bullet struck Marye in the abdomen piereed his liver and part of the kidney and caused his death, under an operation, a week later.

Ashby was arrested and bailed in the same of \$20,000, and rebailed in the same

sum of \$20,000, and rebailed in the same sum when sent on to the grand jury. He was also charged with felonious assault in the Woodward case, but this was not pressed. The bail was furnished in five minutes, and many times that amount could have been raised.

A feature of the proceedings in the

matter of furnishing ball was the appearance of Mr. R. G. Bickford, counsel for the wounded man, and his brother, for the wounded man, and his brother, stating that they did not believe Ashby to blame for the shooting.

The case is the most famous this section of the State has ever had, and one of the most notable in the history of Vicethia. Virginia.

CROWDED COURT-ROOM CROWDED COURT-ROOM.
When the case was called to-day the court-room was crowded to its capacity, the throng including almost the entire local bar, but no member of the Marye family was in court. Connected with the case is an array of legal talent never equalled here before. J. L. Lee, of Lynch-large and B. M. Lett of this city, conduct burg, and R. M. Lett, of this city, conduct the active defense. Colonel J. C. Baker and C. C. Mitchell are of the counsel, but may take no active part. Major R. R. Henry, of Tazewell, uncle of the defend-ant and a noted lawyer, and Hon. Daniel Trigs, of Ablingdon, and Colonel John Wi Friend are present as friends and to of-fer any legal assistance required of them. Mr. Peter Mayo, of Richmond, a kins nan of the defendant, is also with Ashby in the capacity of friend. Mr. Hill Car ter, a distinguished member of the Rich bar, is in attendance as a friend and counsel of the Maryes. While he will tot join in any prosecution of the defend int, he will see that the dead man's good name is not jeojardized by the efforts of he defense to prove provocation and jus-

The State is represented by Common wealth's Attorney C. W. Robinson, The group is typically Virginian. TACT MUST BE USED.

There seems every reason to believe that the trial will progress smoothly and rapidly after the taking of evidence is under way, but much will depend upon he tact with which the defense is con-

ducted. An indisorction, an over-reaching in the effort to prove "Ned" Marye a bad or a compt to prove Ashby entirely blameless and Marye altogether blameworthy, a hance reflection upon the dead man's character, an ignoring of the causes which led up to his conduct on that fatal after-coon—any of these may precipitate a cene such as would result from hot reentment because of what might be con-

idered unfairness to the dead.

There are many shoals to be avoided and Mr. Lee conducted the examination urors this morning with consummatact and finesse, making friends of every ne of the thirty men who composed the

Out of this venire, the examination of Out of this venire, the extine morning, only which consumed the entire morning, only eight of the panel of sixteen men were secured, and another venire was sumpersuments. secured, and another venire was summoned for the afternoon session, the court adjourning at noon for dinner. The examination of the members of the venire showed in a striking manner just how extensive an influence the newspapers have in enabling the public to formulate onlinions in cases of this sort formulate opinions in cases of this sort.

ONE WITHOUT OPINION.

ONE WITHOUT OPINION.

Of the thirty men, there was but one who did not admit that he had formed an opinion, based upon newspaper reports and rumors. This one, Fox by name, detected the the Mad formed as a children to the Mad formed and the Mad form clared that he had formed an opinion to the extent that Marye was dead and had been killed by Ashby. Further than that,

he said his mind had not penetrated. In

most cases the opinion formed was irra-dicable, and twenty-two of the venire were disqualified. In other cases the men accepted de

clared that their opinions would yield to evidence, and they could give the accused a fair and impartial trial on the evidence. Several men were disqualified because they did not believe in capital punish-ment. In one case Lawyer Lee took oc-casion to state that neither did he. One of the men, Brushwood, afterwards accepted for the panel, asked if the believed in capital punishment, replied: "To a cer-tain extent." It developed that Mr. Brushwood was willing to go as far as Brushwood was willing to go as far as the law in this respect. Another man, Gilliam by name, said: "It seems as though my feelings would disqualify me." After a long examination, he was excused. C. C. Crumpler was excused, being registrar of the Third Ward. The city has a new registraton beginning Thursday and lasting until Saturday night. D. B. Salley was excused at the request of the Commonwealth's Attorney, who explained that Mr. Salley occupied desk room in his office, which fact might create unfavorable comment.

EIGHT CHOSEN.

might create unfavorable comment.

EIGHT CHOSEN.

When court adjourned at noon C. F.

Bradley, Frank B. Bragg, G. I. A. Fox,
T. R. Mouring, H. D. Coleman, A. V.

Nesbift, R. B. Latham and W. H. Abdell
had been declared competent to serve.

The court reconvened at 4 o'clock, a
second venire of thirty having been summoned. About half of these were present, andout of the number five were added
to the panel, making threen in all, with

ent, andout of the number five were added to the panel, making threen in all, with three more to be secured to-morrow.

The five are: S. G. Garrow, I. N. Morris, W. Frank Horseley, Oscar M. Newby and W. J. Gwynn.

There were no ladies in court to-day, but many have expressed their intention of attending the trial, and it is probable that before the case is disnosed of there will be no inconsiderable forming at will be no inconsiderable feminine at-tendance. If so, this will be the first case in this city in which ladies were voluntary spectators

DR. MUELLER COMING.

Will Visit This Country in Interest of Boer Cause.

BRUSSELS, Feb. 11.—The plan of campaign drawn up by Dr. Mueller, the former Cousul of the Orange Free State, in Holland, who is now on his way to New York with dispatches from the Boer delegates in Europe to President Roosevelt, includes the formation of two standings of the property o ing committees, one, more or less politi-cal, to include the pro-Boer Senators and representatives and other prominent men it is claimed, have already pro-

mised their co-operation.

The other, and larger body will be chiefly concerned in the collection and forwarding of money for the Boer cause.
After a discussion, in which the opinion
of the Boer delegates was considerably
divided, Mr. Kruger and Dr. Leyds, convinced the others that it was not wise to make overtures to Great Britain for permission to open telegraphic communi-cation with the Boer leaders in the field. Dr. Kuyper, the Dutch Premier, coincided in this view, and, therefore, it has been previsionally determined to maintain the status quo.

DISCIPLES BEGIN NEW MOVEMENT

They Will Ultimately Have a Church in Fairmount--Mission Started.

The Disciples who live in Fairmount have started a movement which will end in the building of a church of that denomination in that pleasant suburb o Richmond.

This little town is growing quite rapid iy. In the past few months several fami-ties, who are of the Christian denomina-tion, have rented or bought homes in Fairmount. They found other Christian families there. Until recently they have been attending the Third Christian Church, which is on Twenty-sixth Street and a long way off. These families, some half a dozen in number, now want a church of their own and are going to have it. They have a nucleus for it now, it has been established in the form of a They have rented a mission school. mission school. They have rented a utilding and hold Sunday-school exercises egularly. Teachers come from other chools, some from the Third Church. ome from the Seventh-Street Church. This is the beginning, and the beginning has just been made.

This new mission promises to be fostered by the Seventh-Street, the mother

This new mission promises to be fostered by the Seventh-Street, the mother of all the Christian Churches of the ity, as well as of the Third Church.

Mr. O. A. Hawkins, the commissioner of revenue, who is one of the most active and useful members of the Seventh-Street Church, is on the committee which is looking after a lot and house for the mission. It is expected that in a short while a lot will be purchased and a neat church, meeting the demands made upon it by the congregation, will be erected.

A HORRIBLE REAR END COLLISION

Seaboard Air Line Brakeman Killed and His Body Cremated in Burning Car.

(Special Dispatch to The Times.)
RALEIGH. N. C., Feb. 11.—A horrible ear-end collision occurred this morning about 3 o'clock on the Seaboard Air Line. ifteen miles north of Raleigh, near Forestville, in which William Craddock brakeman, was killed and his body ourned in the wreck, and another brakenan was fatally injured. Two cars wer burned up. In one of these cars was the

body of the brakeman, and his remains were completely destroyed.

The collision was between regular No.
12 freight train and an extra freight. The The commission was an extra freight. The freight was attempting to take the siding to allow the passenger trains to pass when the other freight ran into it from the rear. The two last cars, which were an extra passenger coach and a caboose, were demolished by the engine of the other freight. A fire was burning in the stove in the caboose and both cars broke out in a blaze and were entirely burned up. The rest of the train was not seriously damaged.

Hundreds of people are arriving from all parts of the State to attend the Good Roads Convention, which meets to-morrow morning. It is estimated that there will be 2,000 delegates here.

STIRRING DEBATE IN UNITED STATES SENATE

Senators Platt and Hoar Lock Horns.

THE PHILIPPINE TARIFF

This Bill Under Discussion a Greater Part of the Day.

SENATOR HOAR FACETIOUS

He Aroused the Ire of the Senator From the Nutmeg State, Who Delivered a Speech Warmly Defending the Philippine Commission, and Even Its Enactment of Treason and Sedition Laws.

(By Associated Press.) WASHINGTON, D. C., Feb. 11 .- A stirring debate on the general Philippine question was precipitated in the Senate late to-day, the participants being Mr. Platt, of Connecticut, and Mr. Hoar, of Massachusetts. Mr. Teller, of Colorado, had concluded for the day his argument against the enactment of the pending Philippine tariff bill. In response to some statements he made, Mr. Platt directed attention to the situation in the islands, as he viewed it, maintaining that great progress was being made in subduing the insurrection.

Mr. Hoar ridiculed the statement of Mr. Platt, and in a facetious vein re-ferred to the attempt of the government to control the Philippines.

This aroused Mr. Platt, who delivered a notable speech, in the course of which

he referred to Mr. Hoar in pretty sharp In his reply Mr. Hoar delivered an in-

cisive criticism of the Philippine Com-mission, declaring he had been taught to judge men rather by their actions than by their words, and by this stand-ard he could not judge the Philippine commissioners with any degree of favor. DAY OF INAUGURATION. Early in the day the Senate passed

joint resolution submitting a constitu-tional amendment changing the time of Presidential inaugurations and the ter-mination and commencement of Con-gresses from the fourth of March to the last Thursday of April.
Senator Teller, in his speech, declared
the so-called enactments of the Philippine
Commission were a compendium of ty-

ranny and infamy.
Mr. Foraker said that the sedition and
treason laws enacted for the Philippines
were almost identical with those of Ten-

Mr. Hoar interrupted to ask if the order of General Otis, directing forced sub-mission, was not itself an act of war. Mr. Teller answered that ten years ago it would have been so considered, wherent would have been so considered, where-upon Mr. Hoar declared that the Filipi-nos could not be charged with opening hostilities, when the United States had, by General Otis' order, issued a forma-

act of war long before.

Mr. Teller expressed the opinion that the Filipinos never would consent to our con-

trel of the islands.
"Is the Senator entirely certain," interjected Mr. Platt, of Connecticut, "that majority of the Christian people of the island do not consent to our government?

Mr. Teller replied that if he could trus the information which had come to him one there that the Philippines had been reduced from the Philippines had been reduced from Target and the Philippines had been reduced from Target to lose them 1990.

70,000 to less than 40,000. "We ought to consider facts," he urged "We ought to take things as they are are not things as they may be conjured up We are getting along reasonably well in those islands."

He pointed out that elections were bein hold in the islands to choose municipa officers, and in these elections all the peo-

ple had a part.
RIDICULED ELECTIONS. Mr. Hoar ridiculed the elections to which Mr. Platt had referred, declaring that co-der the sedition laws enacted by the Phi ippine Commission it was a penitentiar; offense for anybody in the islands to advocate a political opinion or political pol icy. He referred in a facetious voin to the chools established in the islands by the American authorities, aserting that in not one of them could the Declaration of

Independence be read and no patriotic speech delivered in safety.

Mr. Hoar's remarks called forth a vigorous utterance from Mr. Platt, who paid a high tribute to Governor Taft and his associates on the Philippine Commission. That commission had presented, he said, remarkable evidence of the progress which was being made in the archipelago

toward peace.

Mr. Hoar interrupted to inquire if Mr. Platt thought the Filipinos would have adopted the treason law enacted by the Philippine Commission had it been sub-

mitted to them.

ItEAD THE LAW.

The Connecticut Senator replied that he could not say, but Connecticut had a law which the people of that State had never found inconsistent with their rights and liberties. He read the law, which proved the hard Significant that which had to be not dissimilar to that which had been enacted in the Philippines. He point-ed out as one of the benficent results of American occupation of the Philippines that schools had been established in the islands and that nearly one thousand American teachers had gone to the islands to educate the Filipino children.

Air. Platt then read the treason law referred to by Mr. Hoar, to show that it was directed against the formation of secret societies, the purpose of which, in whole or in part, was the promotion of

whole of it part, was the production seedifion, rebellion and treason.

It was a statute, he said, aimed at secret plotting, such plotting as at one time nearly resulted in inducing in the city of Manila a massacre of our troops

ute, or if our statute of treason of 1790, had been enacted in 1861 or any time thereafter, and put in force against Tennessee, Virginia, Kentucky or Missouri. Referring to the elections held in the Philippines, upon which Mr. Platt had dwelt, Mr. Hoar said: "I call his attention to the fact that these elections were held under a law which scut every man who is in favor of one of the questions, which he says was settled by them, to the penitentiary for saying so. Am. I incorrect now?"

Air. Platt: "No, the Senator is infallible." (Laughter.)

.Mr. Platt: "No, the Senator is infallible." (Laughter.)
In conclusion, Mr. Hoar said: "I have learned to trust men, even the greatest and best men, not by what they say, but what they do, and when Governor Taft says that the Filipino people don't want independence, and says at the same time nobody shall express that desire above his breath, I distrust the opinion and look for evacence of the fact. When he says that people are enj-ying American freedom, when he promulgates a law which at the same time makes it a penitentiary offense to read the Declaration which at the same time makes it a pententiary offense to read the Declaretion of Independence on the Fourth of July, I confess I am very little impressed by his judgment, and very profoundly impressed by his edict."

The Senate then adjourned.

In the House.

(By Associated Press.)

WASHINGTON, Feb. 11.—The voting on amendments to the oleomargarine bill in the House to-day indicated, a considerable change of sentiment since last Congress, when the bill had 196 majority, and that the opposition to the measure had gained strength. While passage of the bill is not endangered, it is not likely that the majority to-morrow, when the final vote is taken, will exceed thirty. The opposition to-day was strong enough in Committee of the Whole to adopt two important amendments, one providing that nothing in the act should be construed to prevent the manufacture and sale of oleomargarine in any State for consumption entirely within such State, and the other to provide for the inspection and branding of renovated or process butter.

The latter amendment was especially obnoxious to the friends of the measure, and when the bill was reported to the House a separate vote was demanded on it. The vote was pending when the House adjourned.

Although the amendment commanded a majority of twenty in the Committee of the Whole, where no record is made, it is not unlikely that the action of the commembers are obliged to go on record.

Several committee amendments adopted to-day changed the phraseology of the bill, the most important being making the ten cent tax apply to elemangrarine made in miniation of butter "of any shade of vellow."

Considerable feeling was injected into the proceedings toward the close of the session. (By Associated Press.)

GOVERNOR FOR BETTER ROADS

Will Speak in Danville on the Subject This Month; Is Enthusiastic,

Governor Montague is taking a deep nterest in road improvement in Virginia, and if his ideas are carried out, the longfelt want for better highways in the various sections of the State will be sup

plied. The good reads train will be in Danville on February 20th and 21st, and His Excellency has accepted an invitation to be present and address his fellow-townsmen on the needs of the hour along this line. The Governor is much gratified that the train will make a tour of the State, and he evinces much interest in the subject, which has long been one the behalies. Twelve years ago, in a of his hobbies. Twelve years ago, in a public speech at Williamsburg, he pointed out the needs of the State in this line, and followed it up with speeches in all and followed it up with speeches in an his subsequent campaigns. He will make this the burden of a message he proposes to send to the Legislature next week. In addition to attending the meeting in Danville, Governor Montague will make an address when the train comes to this city. He would like to go to Lynchburg and Charlottesville with the

Lynchburg and Charlottesville with the train, but it is likely that official engagements here will prevent.

At Charlottesville a great time is expected. While the train is there the memorial road from Charlottesville to Monticello will be in the course of construction. Licutenant Shaw was here the other day and secured one hundred convicts from the State penitentiary to work on this piece of road, which, when complete, will probably be the most perfect in the State A large amount of money has been raised by private subscription for the building of this road, and no pains will be spared to make it up-to-date in every respect.

A COOL OFFICER UNDER HOT FIRE

To vn Sergeant Samuel Robinson Arrests a Man Who Shoots Him from Behind.

(Special Dispatch to The Times.) EMPORIA, VA., Feb. 11.-Town Sergeant Samuel Robinson was shot and painfully wounded this afternoon about 5:30 by John H. Jordan, of Southampton county, a carpenter who has been working here for some time past, while atcounty. a carpenter was county. A carpenter was less than the past, while attempting to arrest Jordan, who was frunk and disorderly. The sergant ordered the man to come with him, and as he did not seem inclined to make any resistance Robinson turned to go toward the jall, thinking Jordan was coming with him, but as he did so Jordan shot him in the back, and as he wheeled around and faced him he snot the sergant again, the ball taking effect in the right hand. When Robinson turned after the first shot he attempted to draw his pistol, but in doing so dropped it from his pocket. He immediately sprung upon Jordan, and with the assistance of a negro, who was passing, succeeded in taking his pistol from him and overpowering him, and the shots having been heard by some gentlemen in an office near the scene of the shooting, a number of people hurried to his help and soon had Jordan lodged in Jail.

Mr. Robinson, after securing Jordan's

time nearly resulted in inducing in the city of Manila a massacre of our troops and friends. It prevented plotting in the dark.

MR. HOAR REPLIED.

Mr. Hoar maintained that the Connecticut Senator had not quoted correctly the Philippine statute, because he had omitted a portion of it, which, he asserted, sustained the position he (Hoar) had taken and the statements he had made.

"It would have filled mankind with horror," said he, "if this Connecticut stat-

POWER IS WITH THE EXECUTIVE

tion as to Military.

Gov. Montague's Construc-

LYNCHBURG CASE

Did Not Act Until Requested by the Mayor.

WOULD IN EMERGENCY CASES

Has Heard Nothing to Warrant Interferene in Lunenburg, but Will Act Promptly If at All-His Policy is a Reversal of Those of His Predecessors in Office.

Governor Montague kept as close as he could get to the Lunenburg situation yesterday and last night. Based on the latest information he could secure from there last night, he had concluded that unless there should be a change for the worse he would not order out any troops. Indeed, there has been no call upon His Excellency for military aid, and while he does not regard this as absolutely necessary in case of an emergency, yet his information from the seat of trouble does not begin at this time to warrant any intereference in this line.

Goveror Montague is known to have some well defined views on this subject, as, indeed, he has on most others regard-ing his administration.

SOME CRITICISM.

He is known to have been criticised to some extent for his actions in the recent Lynchburg case. In this connection it may be said that he did not act until he had full information from the local authorities and had been requested by them to send military assistance. The Gover-nor, however, is known to hold that the provisions of the Constitution on this subject are broad enough to warrant the use of his own judgment in the absence of such request, when he shall have been fully satisfied that the exigencies of an occasion are such as to demand the assistance of the military authorities for the safety of the life of a prisoner.

the safety of the life of a prisoner.

THE GOVERNOR'S POLICY.

Taking this view of the case, it may be understood to be the policy of the new Governor's administration that he will use all diligence to discover the true situation in such cases from the Jocal authorities, and will, of course, advise with them in reaching his conclusions, when it is possible to do so; but it is not believed that he regards their actual remest for troops as a necessary conditior. believed that he regards their actual re-juest for troops as a necessary condition precedent to their being ordered out; nor

is he thought to look upon a request from local authorities as an absolute reason why troops should be sent. LARGELY WITH EXECUTIVE. LARGELY WITH EXECUTIVE.
In other words, the new Governor, who
is regarded as an able lawyer, construes
the Constitution to lodge the discretion
largely with the Executive in the end,
and from his action and conversation, he may be relied upon to prevent any mob-violence in the State so long as he is at the helm. If there is trouble of this kind in Lunenburg, it will not be on account of any dereliction of duty on the part of Governor Montague as he sees it.

The construction placed upon the Con-

stitution as to the ordering out of mili tary by the new Governor is in reversal of the precedents established by his predecessors in office, they having held that they could not act until a call was made upon them by local authorities.

NEW COURTHOUSE OCCUPIED.

Suitable Action Taken By the Bar-Captain Crockett IIL

(Special Dispatch to The Times.)
WYTHEVILE, VA., Feb. 11.—The new courthouse of Wytho county was occupied for the first time yesterday, the Circuit Court convening at 10 o'clock, st which time there was a meeting of the bar to take suitable action for the occasion. Judgs J. H. Fulton was called to the chair and J. J. A. Powell was appointed secretary. A committee of five was appointed to draw suitable resolutions and memorials of past courts of Wythe and an historical sketch of the county to be spread upon the records of the Circuit and County Courts. The committee, consisting of C. B. Thomas, S. W. Williams, J. C. Blair and M. M. Caldwell, with the chairman of the meeting ex-officio the chairman of the meeting ex-officio the chairman of the committee, were vested with full power to adopt such plans of celebration and to rame such any for the proceedings thereunder as to them may seem best.

Captain Robert Crockett, one of the oldest members of Wythe County Bar, and a crippled Confederate soldier, lies critically ill at his residence in Camp Jackson. His friends have little hope of his recovery. ourthouse of Wytho county was occu-

LOUISA COUNTY COURT.

Trial of a Local Option Case On Appeal.

(Special Dispatch to The Times.)

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I.OUISA, VA., Feb. 11.—On account of bad roads there was a small attendance at court yesterday, ice in many places making the roads almost impassable. A horse belonging to Mr. George E. Ware, of Brian, fell on the ice in one of the town lots and was so badly crippled it had to be killed.

The County Court, with Judge F. W. Sims on the bench; R. L. Gordon, of Louisa, and James L. Shelton, of Richmond, for the Commonwealth; W. E. Bibb, of Louisa, and A. K. Leake, of Goochland, representing the defendant, is engaged, and probably will be for several days, in the trial of Samuel W. Anthony for selling intoxicating liquors in Jackson, a local option district of this county. Mr. Anthony was tried in a magistrate's court, sentenced to jail for six months and fined \$500. He took an appeal to the County Court. About fifty witnesses have to be heard.